

NOS. PD-0354-21 & PD-0355-21

EDWIN ANTONIO
OSORIO-LOPEZ

vs.

THE STATE OF TEXAS

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IN THE COURT OF

CRIMINAL APPEALS

OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
11/17/2021
DEANA WILLIAMSON, CLERK

**FIRST UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
RESPONDENT'S BRIEF**

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Pursuant to TEX. R. APP. P. 10.5, the Appellant, Edwin Antonio Osorio-Lopez, files this *Unopposed First Motion to Extend Time to File Respondent's Brief*.

Appellant's brief is currently due on November 14, 2021.

Counsel for Appellant requests a 15-day extension of time to file its brief, making the brief due on November 29, 2021. This is the first request for extension of time to file this brief.

Counsel for Appellant relies on the following reasons, in addition to the routine matters that counsel must attend to in daily practice, to explain the need for the requested extension:

Counsel for Respondent is in the midst of preparations for a jury trial in cause number 49403-B & 49405-B, *State v. Robert Harness* in the 124th Judicial District Court of Gregg County, Texas. That matter is presently set to go forward on November 15, 2021 as the number 2 case on that specific jury docket. In the event that it is not reached, it is likely to go forward the week of November 29, 2021. .

Counsel for Respondent seeks this extension of time to be able to prepare a cogent and succinct brief to aid this Court in its analysis of the issues presented. This request is not sought for delay but so that justice may be done.

The undersigned has conferred with opposing counsel, and she has indicated that her client does not oppose this motion.

All facts recited in this motion are within the personal knowledge of the counsel signing this motion, therefore no verification is necessary under Rule of Appellate Procedure 10.2.

PRAYER FOR RELIEF

For the reasons set forth above, Appellant requests that this Court grant this *Unopposed First Motion to Extend Time to File Respondent's Brief* and extend the Deadline for Filing the Respondent's Brief up to and including November 29, 2021.

Respectfully submitted,

/s/Jonathan Hyatt
Jonathan Hyatt
Counsel for Respondent

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CERTIFICATE OF CONFERENCE

I certify that I conferred with counsel for the State, Emily Johnson-Liu, regarding this motion and that Petitioner is not opposed to this motion.

/s/Jonathan Hyatt
Jonathan Hyatt

CERTIFICATE OF SERVICE

I, Jonathan Hyatt, certify that on November 12, 2021, a copy of this motion was provided, via e-file, to the following:

Barry Wallace
Assistant District Attorney, Upshur County, Texas
Barry.wallace@countyofupshur.com

Emily Johnson-Liu
Assistant State's Attorney
Emily.johnson-liu@spa.texas.gov

/s/Jonathan Hyatt
Jonathan Hyatt

Automated Certificate of eService

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Jonathan Hyatt on behalf of Jonathan Hyatt
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Status as of 11/17/2021 10:10 AM CST

Case Contacts

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Emily Johnson-Liu		emily.johnson-liu@spa.texas.gov	11/12/2021 4:51:08 PM	SENT